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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/672,636	09/28/2000	Gary Dan Dotson	00AB151	8215

7590 05/19/2003

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NGUYEN, KIMNHUNG T

ART UNIT	PAPER NUMBER
2674	5

DATE MAILED: 05/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/672,636	DOTSON, GARY DAN
	Examiner Kimnhung Nguyen	Art Unit 2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 20 February 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-6,8-13,15-20,22-27 and 29 is/are rejected.
- 7) Claim(s) 7, 14,21, and 28 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
. | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

This Application has been examined. The original claims 1-29 are pending. The examination results are as following.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 15 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Shibata et al. (US patent 4,845,477).

Shibata et al. disclose in figures 2-3 that a video controller for interfacing a frame buffer (refresh buffer) to a display in a computer system comprising a raster engine (raster scan of the color CRT 16) comprising a raster engine adapted to receive video data from the frame buffer to format the video data and to render the formatted data to the display (see column 2, lines 34-51); and a hardware blink logic system (because the system having AND gate and OR gate with color blink and data input/output with D flip-flop) operatively associated with the raster engine to selectively blink at least one pixel on the display (see column 3, lines 66-68 and column 4, lines 1-22).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 2-6, 8-13, 16-20 and 22-27 rejected under 35 U.S.C. 103(a) as being unpatentable over Shibata et al. (US patent 4,845,477) in view of Fleming et al. (US patent 4,439,759).

Shibata et al. disclose that the hardware blink logic system as discussed in claims 1, 15 and 29 above, and programmable via the computer system (see column 2, lines 34-51) and selected blink comprises pixels ORed gate (78, see column 4, lines 40-41) and exclusive OR (66, see column 4, lines 64-65), and wherein the hardware blinking logic system is adapted at least one blinking pixel (blink color 46, 48, see figure 3). However, Shibata et al. do not disclose a blink mode in the video controller. Fleming et al. disclose a set color mode to 0 or to 1 to the display system with blink color, that is the blink mode (see figure 4, column 6, lines 20-43). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of using the blink mode as taught by Fleming et al. in the system device of Shibata et al. because this would select a particular mode of color memory access and provide for accessing data in a terminal independent manner.

Allowable Subject Matter

5. Claims 7, 14, 21 and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:
None of the cited art teaches or suggests that the video controller further comprising a blink rate register operatively associated with the hardware blink logic system and programmable via the computer system to select a blink rate, wherein the hardware blink logic system is adapted to selectively blink the at least one blinking pixel on the display to the selected blink mode.

Response to Amendment

7. Applicant's argument filed on 2-20-03 has been fully considered but they are not persuasive.

Applicant argues that Shibata et al. does not teach a hardware blink logic system capable of selectively blinking at least one pixel on a display. However, this argument is not persuasive due to the teachings of combination of Shibata et al. and Fleming et al. as disclose above. Therefore, this rejection is maintained.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

Art Unit: 2674

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number (703) 308-0425.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **RICHARD A HJERPE** can be reached on (703) 305-4709.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D. C. 20231

Or faxed to:

(703) 872-9314 (for Technology Center 2600 only).

Hand-delivery response should be brought to: Crystal Park II, 2121 Crystal Drive, Arlington, VA Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Kimnhung Nguyen
May 2, 2003



RICHARD HJERPE
SEARCHING PATENT EXAMINER
TECHNOLOGY CENTER 2600